

## **REMARKS**

### **I. Status of the Claims**

Claims 1-3, 5-10 and 12-15 are pending in the application. Claims 1-3 and 5-7 stand withdrawn. Thus, claims 8-10 and 12-15 are under examination and stand rejected, variously, under 35 U.S.C. §112, first paragraph, 35 U.S.C. §102(e) and 35 U.S.C. §103(a). The specific grounds for rejection, and applicants' response thereto, are set out in detail below.

### **II. Rejection Under 35 U.S.C. §112, First Paragraph**

Claims 8-10 and 12-14 stand rejected under 35 U.S.C. §112, first paragraph as not providing support for the term "single chain anti-idiotypic antibody" in claim 8. Applicants traverse, but in the interest of advancing the prosecution, the claims have been amended to recite that subject matter (single chain Fv) which the examiner considers to be sufficiently described. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

### **III. Rejection Under 35 U.S.C. §102(e)**

Claims 8, 10 and 12-15 stand rejected under §102(e) as anticipated by Weisbart, U.S. Patent 6,232,444. Applicants traverse.

The claims, as presented for reconsideration herein, each recite a single chain Fv antibody. This element is not disclosed anywhere in the Weisbart patent. A F(ab) is a portion of a complete antibody generated by cleavage with a proteolytic enzyme, papain. The heavy and light chains are not contiguous, as in a single chain antibody, but are bound together via disulfide bonds. Thus the examiner's attempted equation of these two very distinct molecules is improper. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

**IV. Rejection Under 35 U.S.C. §103(a)**

Claims 8-10 and 12-15 stand rejected over Weisbart in view of Lonberg *et al.*, U.S. Patent 5,789,650. Applicants traverse.

As discussed above, the Weisbart patent fails to disclose single chain Fv antibodies, which are an element of each pending claims. The Lonberg *et al.* is similarly silent on this element. Therefore, as a matter of law, the rejection is improper. Reconsideration and withdrawal of the rejection is respectfully requested.

**V. Conclusion**

In light of the foregoing, applicants respectfully submit that all claims are in condition for allowance, and an early notification to that effect is earnestly solicited. Should the examiner have any questions regarding this response, a telephone call to the undersigned is invited.

Respectfully submitted,



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Date: February 24, 2005